

**Office of Intellectual Property Counsel  
3M Innovative Properties Company**

**3M Center, PO Box 33427  
St. Paul, MN 55133-3427 USA**

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# FACSIMILE

Date: March 12, 2002

Number of pages (including cover sheet): 6

To: United States Patent and Trademark  
Office  
Office of Petitions  
ATTN: Karen Creasy

Phone: 703/305-8869

Re: US Serial No. 09/432,944

Fax No. 703/308-6916

From: Scott R. Pribnow

Our Ref: 46835US012

Phone: 651/736-3512

Fax No. 651/736-3833

Remarks: ☒ Urgent ☐ Acknowledge ☒ Reply ASAP ☐ Please Comment

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MAR 12 2002

PETITIONS OFFICE

Patent  
Docket No: 46835US012**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Mieczslaw H. Mazurek, Robert K. Galkiewicz and Group Art Unit: 1822  
Gerald M. Benson

Serial No.: 09/432,944

Filed: November 3, 1999

Examiner: A. Singh

For: **PRESSURE-SENSITIVE ADHESIVES HAVING MICROSTRUCTURED SURFACES****CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office

on:

March 12, 2002

Date

Beth M. Lindblom

Signature

**COMMUNICATION**Office of Petitions  
Box DAC  
Assistant Commissioner for Patents  
Washington, DC 20231

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PETITIONS OFFICE

Dear Sir:

This communication is submitted in response to the Fax Transmission of March 11, 2002 from Ms. Karen Creasy, Office of Petitions, in the above-identified application. A copy of the Fax Transmission is attached hereto as Exhibit A.

The Fax Transmission requests Applicant to provide: (1) a duplicate copy of the previously mailed Issue Fee Transmittal Form PTOL-85(b) bearing a certificate of mailing dated on or before the due date for payment thereof; and (2) a statement that the Issue Fee Transmittal Form PTOL-85(b) was previously mailed to the USPTO on the date indicated in the certificate of mailing.

Attached hereto as Exhibit B, please find a duplicate copy of the Issue Fee Transmittal Form PTOL-85(b) bearing a certificate of mailing signed by Beth M. Lindblom and dated December 11, 2001. The due date for submitting the issue fee is listed on the Issue Fee Transmittal Form PTOL-85(b) as December 12, 2001. The Issue Fee Transmittal Form PTOL-85(b) was previously mailed to the USPTO on December 11, 2001, the date indicated in the certificate of mailing.

USSN: 09/432,944


Docket No.: 46835US012

It is believed that no fee is due for this Communication. However, if a fee is due, please charge the fee to Deposit Account No. 13-3723.

Registration Number 43,869	Telephone Number 651/736-3512
Date March 12, 2002	

Respectfully submitted

By

  
Scott R. Pribnow

Office of Intellectual Property Counsel  
3M Innovative Properties Company  
P.O. Box 33427  
St. Paul, Minnesota 55133-3427  
Facsimile: (651) 736-3833

EXHIBIT A

# FAX TRANSMISSION

U.S. PATENT AND TRADEMARK OFFICE  
Office of Petitions

Assistant Commissioner for Patents, Box DAC  
Washington, DC 20231  
(703) 305-8869

**Fax: (703) 308-6916**

FAX RECEIVED

MAR 12 2002

PETITIONS OFFICE

To: Scott R. Pribnow

Date: March 11, 2002

Fax #: 651-736-3833

Pages: 2, including this cover sheet.

From: Karen Creasy, Office of Petitions

Subject: Application No. 09/432,944 Dkt. No. 46835USA5D

Thank you for your petition to withdraw from issue received by facsimile transmission on February 25, 2002. Unfortunately, because of the mail delays, finance records disclose receipt of the issue fee on January 28, 2002, which is after the due date for payment of the issue fee. In order to ascertain whether the issue fee was timely submitted, please provide me with a copy of the previously filed Issue Fee Transmittal Form PTOL-85(b) which bears a certificate of mailing on or before the due date for payment thereof.

In view of the recent delays in the delivery of mail to the Office, the PTO has established a policy for accepting duplicate submissions, as set forth below.

## ***A. Requirements of 37 CFR 1.8***

If the original paper was mailed using the certificate of mailing procedure under 37 CFR 1.8, then the Office shall consider the (faxed duplicate copy of the) reply to be timely submitted if applicant submits:

(1) a duplicate copy of the previously mailed reply that includes a certificate of mailing which is signed and indicates the date of mailing (the certificate of mailing must be signed and dated); and

(2) a statement that the reply was previously mailed to the USPTO on the date indicated in the certificate of mailing.

## ***B. What is an Acceptable Statement?***

While a statement is required, what qualifies as the "statement" should be liberally interpreted. Thus, it can be part of the fax transmittal cover sheet, and it may simply be:

"This is a copy of correspondence that was mailed to the USPTO on \_\_\_ date." or

"This is a copy of an amendment that was mailed to the USPTO on the date specified in the certificate of mailing."

Application No. 09/432,944

Page 2

The statement (even on a fax transmittal cover sheet) must be signed by a patent practitioner (of record or per Rule 1.34 with a registration number), one or more of the applicants, an assignee, or the person who mailed the original paper.

Unless an acceptable statement is present, it would not be appropriate to accept an "apparent" copy of a previously mailed reply. Thus, without a statement, a document with a stamp on it of "Duplicate" or "Copy" is, by itself, not sufficient. Note: for duplicates of correspondence filed before or after the mail delay period, a statement in compliance with 37 CFR 1.8(b)(3) would always be required as it is clearly not acceptable to just accept a duplicate, stamped "Duplicate" or "Copy."

Therefore, would you please provide me with a copy of the previously mailed Issue Fee Transmittal Form PTOL-85(b) along with a statement of mailing of the Issue Fee Transmittal Form pursuant to the guidelines set forth above. The inconvenience caused you in this matter is sincerely regretted.

The above may be submitted by facsimile transmission to the number indicated above and to my attention. It would be most appreciated if this could be sent to me within the next couple of days so that a decision on the petition will not be delayed.

Your patience and understanding in this matter is sincerely appreciated.

Complete and return to:

DUE DATE(S)

together with applicable fees, to:

Box ISSUE FEE

Assistant Commissioner for Patents

Washington, D.C. 20231

OFFICE OF INTELLECTUAL

PROPERTY COUNSEL

3M INNOVATIVE PROPERTIES COMPANY

ATTORNEY  
DOCKETED

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**MAILING INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE. Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Issue Fee Receipt, the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

IM52/0912

OFFICE OF INTELLECTUAL PROPERTY COUNSEL

3M INNOVATIVE PROPERTIES COMPANY

P O BOX 33427

ST PAUL MN 55133-3427

Note: The certificate of mailing below can only be used for domestic mailings of the Issue Fee Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing.

REFERRED TO

## Certificate of Mailing

I hereby certify that this Issue Fee Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above on the date indicated below.

Beth M. Lindblom

(Depositor's name)

Beth M. Lindblom

(Signature)

December 11, 2001

(Date)

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/432,944	11/03/99	026	SINGH, A	1771 09/12/01
First Named Applicant	MAZUREK, 35 USC 154(b) term ext. = 0 Days.			

TITLE OF INVENTION: PRESSURE-SENSITIVE ADHESIVES HAVING MICROSTRUCTURED SURFACES

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1 46635USP	442-151.000	L92	UTILITY	NO	\$1240.00	12/12/01

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" indication form PTO/SB/47) attached.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Scott R. Pribnow

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  
PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignee has been previously submitted to the PTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

3M Innovative Properties Company

(B) RESIDENCE: (CITY &amp; STATE OR COUNTRY)

St. Paul, MN

Please check the appropriate assignee category indicated below (will not be printed on the patent)

☐ Individual ☒ corporation or other private group entity ☐ government

4a. The following fees are enclosed (make check payable to Commissioner of Patents and Trademarks):

☐ Issue Fee☐ Advance Order - # of Copies

4b. The following fees or deficiency in these fees should be charged to:

DEPOSIT ACCOUNT NUMBER 13-3723

(ENCLOSE AN EXTRA COPY OF THIS FORM)

☒ Issue Fee☒ Advance Order - # of Copies 5

The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee to the application identified above.

(Authorized Signature) Reg. #43,869

Scott R. Pribnow

(Date)

12-6-01

NOTE: The Issue Fee will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the Patent and Trademark Office.

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending on the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington D.C. 20231

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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DEC 19 2001

TRANSMIT THIS FORM WITH FEE